

March 27th, 2023

Re: Complaint Filed with Wisconsin Elections Commission

El 23-24 Junior Gurgel v. Sandra Meyer

Dear Jim Witecha,

I would like to officially retract the statement I previously emailed to you on Saturday, March 25th, 2023 for the following reasons:

The Town of Excelsior passed Resolution Number 12-9-205 RESOLUTION REGARDING POSTING LOCATIONS FOR PUBLIC NOTIFICATIONS specifically citing 2015 Wisconsin Act 79 that created an additional method for publication of certain legal notices under Chapter 985.02(2), Wisconsin Statutes. Section 2 985.02(2)(a) The notice must be posted in at least 3 public places likely to give notice to persons affected or must be posted in at least one public place likely to give notice to persons affected and placed electronically on an Internet site maintained by the municipality.

The governing body of the Town of Excelsior Board of Supervisors on December 9th, 2015 adopted Resolution 12-9-2015 choosing to post at one (1) physical location, and the official town website, namely:

1. Excelsior Town Hall, 100 E. Broadway, Rock Springs, WI 53961
2. Townofexcelsior.com; the Town of Excelsior's official website (this has now been changed to www.townofexcelsiorwi.gov)

The Town of Excelsior does not have an official newspaper as stated within a Town Resolution or Ordinance and mainly uses the newspaper from Reedsburg, WI. State Statute 985.05 (1) The governing body of every municipality not required to have an official newspaper may designate a newspaper published or having general circulation in the municipality and eligible under s. 985.03 as its official newspaper or utilize the same for specific notices.

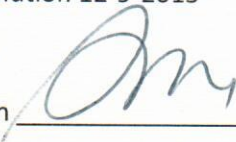
As for the Public Test for February 9th, 2023 at 9AM I am unsure if this information was put on our website as the information for the election is taken down the next day. The notice was put on the front door of the Town Hall located at 100 E. Broadway St., Rock Springs, WI. For the current Public Test being held on Wednesday, March 29th, 2023 at 10AM. This has been posted at the Town Hall notice board located at 100 E. Broadway St., Rock Springs, WI and on the town's official website www.townofexcelsiorwi.gov under the elections tab.

Respectfully submitted with two attachments:

Town of Excelsior Resolution 12-9-2015

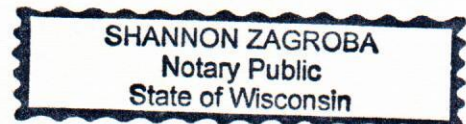
2015 Wisconsin Act 79

Sandra Meyer Swanson



*Sandra signed before me
on 3-28-23.*

Shannon Zagroba



*My Commission expires
10-12-24*

**TOWN OF EXCELSIOR
RESOLUTION NUMBER: 12-9-2015**

RESOLUTION REGARDING POSTING LOCATIONS FOR PUBLIC NOTIFICATIONS

WHEREAS, 2015 Wisconsin Act 79 created an additional method for publication of certain legal notices under Chapter 985.02(2), Wisconsin Statutes;

WHEREAS, a governing body of a municipality may now elect to post a notice in one physical public posting place likely to give notice to persons affected and on an Internet site maintained by the municipality;

WHEREAS, this additional notice method is not a mandate and simply provides the option of using this new publication method for situations where towns may already post legal notices in three physical locations likely to give notice to persons affected;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Excelsior Board of Supervisors, by its designated members, hereby choose to post at one (1) physical location, and the official town website, namely:

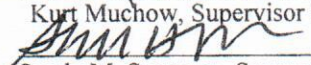
1. Excelsior Town Hall, 100 E. Broadway, Rock Springs, WI. 53961
2. townofexcelsior.com; the Town of Excelsior official website.


THIS RESOLUTION is adopted by the Town of Board of the Town of Excelsior on the 9th day of December 2015, to be effective the day after posting or publication as required under s. 60.80, Wis. Stat.


BY:

Joe Fish, Chairperson

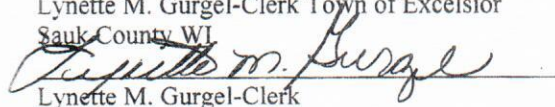

Kurt Muchow, Supervisor I


Sandy M. Swanson, Supervisor II


Ken Nolden Supervisor III


Kerry Zimmerman Supervisor IV

Attested to and entered into the minutes by
Lynette M. Gurgel-Clerk Town of Excelsior
Sauk County, WI


Lynette M. Gurgel-Clerk

12-9-15
Date

Web Site - Town

Post - 1st - N - 12-11-15 12-11-15 12-11-15

12-11-15 12-11-15

State of Wisconsin



2015 Senate Bill 137

Date of enactment: November 11, 2015
Date of publication*: November 12, 2015

2015 WISCONSIN ACT 79

AN ACT to amend 985.01 (7), 985.02 (2) (a), 985.02 (2) (b), 985.02 (2) (c), 985.02 (3) and 985.08 (1) of the statutes; relating to: publication of certain legal notices on an Internet site maintained by a municipality.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 985.01 (7) of the statutes is amended to read:

985.01 (7) "Wisconsin newspapers legal notices ~~Web Internet~~ site" means an Internet ~~Web~~ site maintained by Wisconsin newspapers for the purpose of providing and maintaining an electronic version of printed and published legal notices.

SECTION 2. 985.02 (2) (a) of the statutes is amended to read:

985.02 (2) (a) The notice must be posted in at least 3 public places likely to give notice to persons affected or must be posted in at least one public place likely to give notice to persons affected and placed electronically on an Internet site maintained by the municipality.

SECTION 3. 985.02 (2) (b) of the statutes is amended to read:

985.02 (2) (b) The notice posted before the act or event requiring notice shall be posted and, if applicable, placed electronically, no later than the time specified for the first newspaper publication.

SECTION 4. 985.02 (2) (c) of the statutes is amended to read:

985.02 (2) (c) The notice posted after the act or event requiring notice shall be posted and, if applicable, placed electronically, within one week after the act or event.

Actions of governing bodies posted after the act or event shall be effective upon posting.

SECTION 5. 985.02 (3) of the statutes is amended to read:

985.02 (3) The newspaper that publishes a legal notice shall, in addition to newspaper publication, place an electronic copy of the legal notice at no additional charge on the Wisconsin newspapers legal ~~notice Web~~ notices Internet site.

SECTION 6. 985.08 (1) of the statutes is amended to read:

985.08 (1) The fee for publishing a legal notice shall be not more than the rate issued by the department of administration for the first and subsequent insertions per standard line. The charge for the publication of a facsimile ballot shall be computed as if the area occupied by the ballot were set in standard lines. If a legal notice contains tabulated matter, then the fees allowable for the area containing such matter shall be increased 50% of the standard line base rate without adjustment for circulation premium. Composed matter shall be interpreted as being tabular when it contains 2 or more justifications per line. The standard line rate shall be reviewed annually, the adjustment, if any, to be effective on January 1 of each year to reflect the relevant change in costs of the newspaper publishing industry during the previous year, as determined by the department of administration in consultation with representatives of the daily and weekly

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

2015 Wisconsin Act 79

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2015 Senate Bill 137

newspaper industry of the state. In making the determination the department shall base the standard line rate upon the factors of wage and independent indices of newsprint costs in the proportions determined by the

department to be proper. No additional fee may be charged for placing a legal notice on the Wisconsin newspapers legal notice ~~Web notices Internet~~ site pursuant to s. 985.02 (3).
